

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LARRY M. WILLIAMS,)
Petitioner)
)
vs.) Civil Action No. 05-677
) Judge Gary L. Lancaster/
JAMES WYNDER; THE DISTRICT) Magistrate Judge Amy Reynolds Hay
ATTORNEY OF THE COUNTY OF)
PITTSBURGH; THE ATTORNEY)
GENERAL OF THE STATE OF)
PENNSYLVANIA,)
Respondents)

ORDER

AND NOW, this 30th day of MARCH, 2006, after the petitioner,

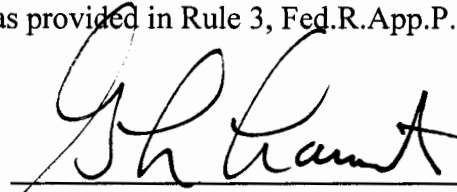
Larry M. Williams, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by petitioner, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the petition filed pursuant to 28 U.S.C. § 2254 is denied as untimely;

IT IS FURTHER ORDERED that a certificate of appealability is denied;

IT IS FURTHER ORDERED that petitioner's most recent motion for appointment of counsel is denied;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

A handwritten signature in black ink, appearing to read "G. L. Lancaster", written over a horizontal line.

GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Larry M. Williams
EN-5592
SCI Dallas
1000 Follies Road
Dallas, PA 18612

Rusheen R. Pettit
Assistant District Attorney
Office of the District Attorney
401 Allegheny County Courthouse
Pittsburgh, PA 15219